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SPEECH

OF

HON. GEORGE S. BOUTWELL,

OF MASSACHUSETTS,

ON

THE ADMISSION OF TENNESSEE;

DELIVERED

IN THE HOUSE OF REPRESENTATIVES, JULY 20, 1866.



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ADMISSION OF TENNESSEE.

The House having under consideration the joint resolution providing for the admission of Senators and Representatives from Tennessee—

Mr. BOUTWELL said:

Mr. SPEAKER: I am not ignorant of the fact that the votes of the House already taken foreshow conclusively its purpose to pass the pending joint resolution for the admission of Tennessee. I can see many reasons which operate on the minds of others as they do upon my own mind tending to such a course; but after the most careful reflection during months and years I am still as deeply convinced as ever of the dangerous nature of this proceeding. While I am conscious that my voice falls upon unwilling ears; that it is the fixed purpose of the House in the presence of a great political struggle to adopt this measure, and though I am the humblest of the members of this body, with less right than any other man to address the country, and with no hope whatever that my words will reach posterity, I yet avail myself of the kindness of the gentleman who has charge of this resolution and raise my voice here and now and for the last time against the consummation of this scheme.

This morning I offered an amendment, on which, however, the gentleman from Ohio [Mr. BINGHAM] declined to allow the House to vote, which embodies my opinions concerning the admission of Tennessee. If gentlemen observed the language of that amendment they are aware that I have in some degree departed from my own settled convictions as to the right of all men to the enjoyment of the elective franchise in deference to what I understand to be the judgment of the majority of this House,

and possibly at this time to what is the judgment of the loyal people of the country. The resolution that I proposed provided for impartial suffrage in that State by the act of its own people as a condition-precedent to its admission to the exercise of power in the government. It secured justice to the colored people of Tennessee first, and then to the colored people of the revolted and still rebellious section of this country.

I am not troubled by the informalities apparent in the proceedings of the Tennessee Legislature upon the question of ratifying the constitutional amendment. It received the votes of a majority of the members of a full House, and when the proper officers shall have made the customary certificate and filed it in the Department of State, it is not easy to see how any legal objection can be raised, even if two thirds of the members were not present, although that proportion is a quorum according to the constitution of the State.

My objections are not technical, but vital and fundamental. First, the government which they submit here, and which by your preamble and by your vote you declare under the Constitution to be a republican form of government, is not, as it appears to me, such in fact. I have not time now in these thirty minutes to trace the history of the opinions entertained by the founders of the Republic as to what constitutes a republican form of government. But if they identified themselves with any opinion or idea upon this subject, it was this: that whenever powers were conferred by hereditary rules upon a class of men, or whenever by hereditary rules a class of men were excluded from all partici-

pation in the government, that government was necessarily anti-republican in form as well as in fact. I do not assert that it is necessary that every man should vote, and that a government in which terms and conditions are imposed is necessarily anti-republican; but the terms and conditions must be reasonable; they must be such as to render it not only possible but probable that the great majority will be able to meet the requirements of the law.

What is this House to-day, in the name of the people of this country and under the Constitution, declaring? That a State constitution by which more than eighty thousand male citizens are forever, for themselves and for their posterity, deprived of all part in the government of that State is republican in form. Sir, that government is an aristocracy; it is an oligarchy; it is not republican; it is not democratic. Wherever a man and his posterity are forever disfranchised from all participation in the government, that government is not republican in form.

Next, are we to question the existence of the power on our part to accomplish that which I now suggest ought to be accomplished—the enfranchisement of the freedmen of Tennessee, as the beginning of the great work of reconstruction upon a republican basis? We have positive power with reference to the States that have been in rebellion, which we have exercised by the passage of the act establishing and continuing the Freedmen's Bureau and by the passage of the civil rights bill.

I do not now discuss the question whether we have the power directly to enfranchise the negroes of Tennessee and of the other States recently in rebellion. I have an opinion upon the question, but I offer no argument in its support at the present time. I believe that that power exists in Congress; but now I appeal to the negative power of the Government that we may reject Tennessee, North Carolina, Arkansas, until they perform this act of justice, for the country, for the negroes, for themselves. In thus requiring an additional act of justice on their part as a condition-precedent to their return to the enjoyment of their former power in the country, we have the authority of President Lincoln, of President Johnson, and of numerous

acts of this Congress and of the last Congress. We have exacted conditions-precedent to the admission of those States to representative power in the Government of the country. Through Presidents Lincoln and Johnson the country insisted upon the ratification of the amendment abolishing slavery, the repudiation of the rebel debt, and now we demand, even in the case of Tennessee, the ratification of the pending amendment to the Constitution equalizing representation and all as conditions-precedent to the exercise of power in the Government. With equal, if not with more justice, we may demand an impartial system of suffrage.

Nor can it be maintained with propriety that this exaction shall not be made because there are States, exercising their full functions as such, in which the negroes are excluded from the ballot-box? The injustice in those States is not of such magnitude as to endanger the peace and safety of the country; while in the case of the rebellious States there seems only the alternative of equal suffrage through the demands of the Government on the one hand and civil or social war on the other. Hence, while we may condemn the exclusion of negroes from the ballot-box in States now represented in Congress, there may be no public necessity for an attempt to remedy the wrong by the action of the General Government. Moreover, in the case of the loyal States the General Government cannot apply a remedy except by affirmative, positive action, for which the country is not prepared, and for which there is no controlling public necessity. In the case of the States lately in rebellion we are not under the necessity of taking affirmative legislative action. The proceeding on our part is simply and wholly within the domain of the precedents cited and the authority of the Constitution. The abolition of slavery by the Constitution has given a new meaning to the phrase "republican government;" for it is now settled that a State in which slavery exists is not republican in form according to our Constitution, though previous to the ratification of the amendment the fact may have been otherwise. While slavery existed it was generally true, however, that all free citizens were voters. To this rule there were some exceptions, but they were few and relatively unimportant.

I proceed now to consider the expediency of this measure. There are in Tennessee not less than two hundred thousand able-bodied adult male citizens, and you are consenting that the political power of that State shall be put into the hands of less than sixty thousand. By the constitution of Tennessee more than half the white male citizens of that State are disfranchised. Of this I do not complain; but in addition thereto eighty thousand male colored citizens of the State are also disfranchised, making an aggregate of one hundred and forty thousand men who are excluded from participation in the government. The sixty thousand loyal white men come here and ask to be accepted as a State, and you are solemnly resolving, in the presence of the country and with the light of history and the traditions of the Republic, that the government is republican in form.

What do you invite and invoke in the future? Do you suppose that these sixty thousand rebels are to rest quiet under their exclusion from political power in the government of that State for any considerable number of years? Such an expectation, if entertained, will not be realized. On the other hand, this action invites and renders necessary a combination between the eighty thousand colored men and the sixty thousand rebels. The rebels, forgetting their past prejudices, and the loyal blacks, forgetting the disloyalty of the sixty thousand rebels, will join hands and overturn the government of the State. And what you are doing to-day for Tennessee you are to be invited hereafter to do for the other ten States of the South. There is only an alternative. It is in this: that the four million colored people shall escape from the tyranny which you authorize the southern oligarchs to exercise over them. And I bid the people, the working people of the North, the men who are struggling for subsistence, to beware of the day when the southern freedmen shall swarm over the borders in quest of those rights which should be secured to them in their native States. A just policy on our part leaves the black man in the South where he will soon become prosperous and happy. An unjust policy forces him from home and into those States where his rights will be protected, to the injury of the black man and the white man both of the North

and the South. Justice and expediency are united in indissoluble bonds, and the men of the North cannot be unjust to the former slaves without themselves suffering the bitter penalty of transgression.

I ask of this House what the answer is to be when the other ten States demand recognition and the admission of members. Do you say they shall not be admitted on the terms you now offer to Tennessee? What other terms will you exact of Arkansas, North Carolina, and South Carolina? You can exact none in addition to what you are now exacting, unless you demand for them what I now demand for the people of Tennessee—impartial suffrage for all loyal adult male citizens. And if you then hesitate to meet the question from which you now shrink—the right of the negro to vote—you will have no excuse for denying full political rights to the other ten States. Arkansas has complied with the conditions named in the preamble to the resolution, and you have no excuse for refusing to admit Arkansas except the excuse I now offer for refusing to admit Tennessee. You will have again upon you that question which you so much dread, but which cannot be postponed and which must be met, whether the colored men of the South, once in slavery but now free, are to be endowed with the rights of citizens of this country. But if you say, as you will say, unless the people rise in their majesty and demand justice for their suffering fellow-men, that these States may be admitted, as Tennessee is to-day to be admitted, then to what extremity of woe have you reduced the country! You have four million discontented loyal persons made discontented by your action. You have in the States of the South more than five million discontented rebellious white people. You compel these classes, naturally enemies, to unite under the force of circumstances which now you may control for the good of the country; and if, as we believe, the white race is the dominant race, at least for the time being, in intellect and intelligence, you thus give to the rebel class of the South the moral, physical, and political power which can be derived from the influence they will exercise over the four million blacks. Does any one believe that the blacks are to be exterminated? The old fable

of Antæus is founded in the nature of man. They who labor on the soil never yet have been and probably they never can be exterminated. And consider further that the blacks are organized into churches; they are establishing everywhere schools; they are becoming the possessors of land; they have military knowledge. Do you expect that such a people, though yet in their infancy, are to be exterminated? They will continue to exist; they will thrive even under oppression; but the day may come, and I fear it may come soon if this policy be pursued, when they will assert by force and by dangerous combinations the natural rights with which they have been by God endowed.

And what do you offer to the loyal whites of the South? You offer them only submission, degradation, or expatriation. Do you suppose that when you have established in the other southern States governments like that of Tennessee, in which the disloyal whites are excluded and the loyal blacks are also excluded, the loyal whites can withstand for a moment the surging waves of public sentiment which will rise, and foam, and rage, however unjust and foul their origin? If, on the other hand, the negroes are permitted to vote, even in small numbers only in the beginning, they naturally become the allies and friends of the loyal whites of the South; and especially will they be our friends in any future controversy involving the integrity of the Union. No country can afford to disregard the rights or the power of an eighth of its population; and above all, it is dangerous for this Government to authorize or tolerate an unjust policy toward so large a proportion of its citizens.

There are in this country two great political public wrongs, one of which you have taken the proper means to remedy by an amendment to the Constitution, securing to a white man in the North equal political power with a white man in the South. We are agreed upon that. When a white man's rights are concerned, there is no difference of opinion upon this side of the House as to the necessity of protecting him. But there is another great wrong, for which you make no provision, offer no remedy, present no excuse, and that is the denial of the elective franchise to the black men of the South.

I must say for the gentlemen upon the other

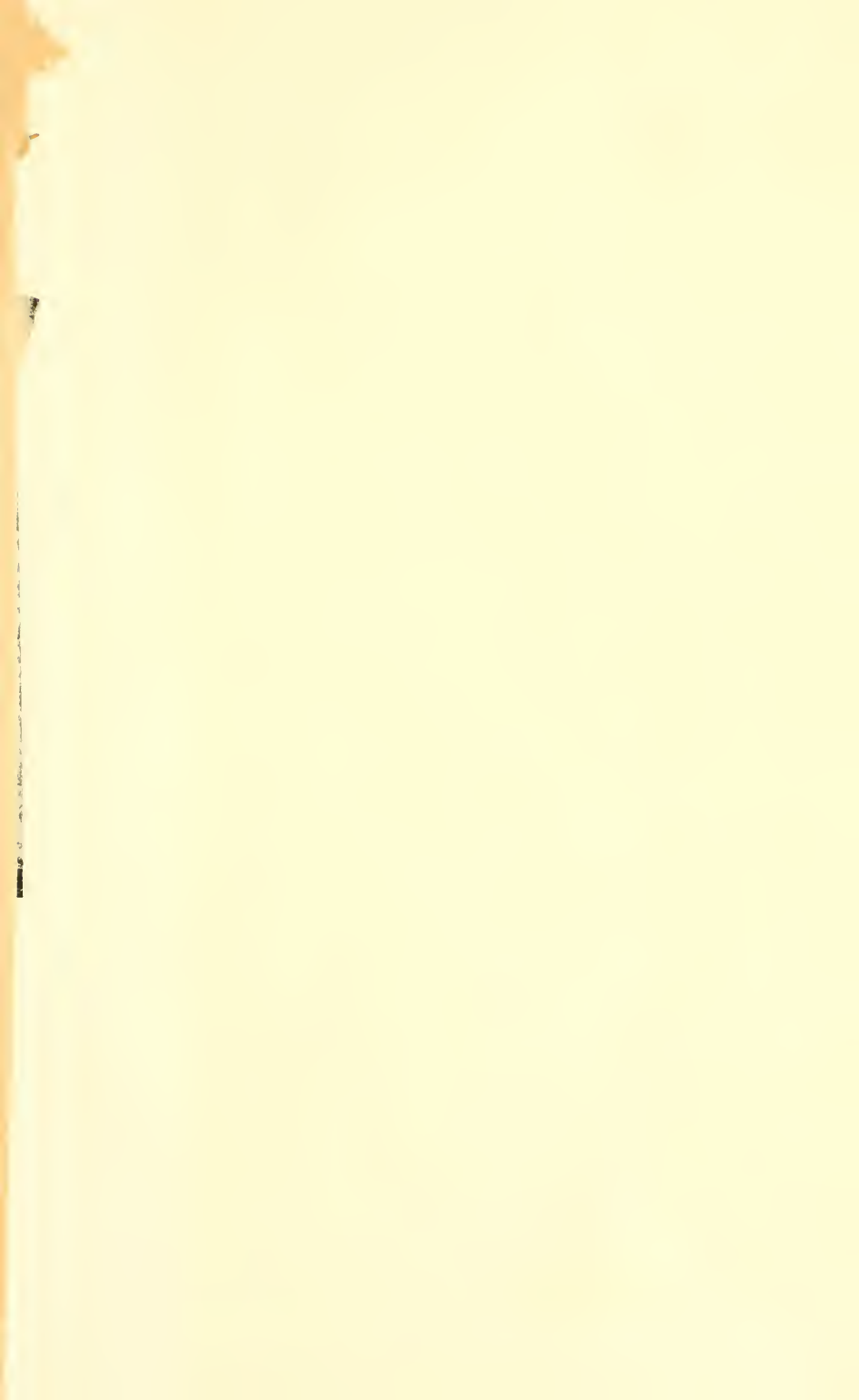
side of the House that they are consistent in this matter. They have never asserted the citizenship of the black man; they have denied it; they have never invited him into the Army nor called upon him to fight the battles of the Republic. They have, as far as they had the power, refused his services; and however wrong they may have been, they have been consistent in their course. But upon this side of the House it is otherwise. We have recently passed an amendment to the Constitution, to be submitted to the States, declaring that negroes are, under the Constitution, hereafter to be citizens, and now, when we have the power to secure for them the rights of citizens, we are silent. We have invited them into the armies of the Republic and now we abandon them to those who have been for years their enemies and oppressors. How are we to reconcile to ourselves, to our country, and to posterity this great inconsistency on our part?

I am as much attached to party as any man can be, but the jewel of the Republican party is its consistency based upon justice, and now we abandon justice and accept inconsistency as our policy. Is not the history of this country full of warning? I will not mention names, but from 1850 to the close of the rebellion the pathway of ambition for parties and for men has been strewn right and left with the fragments of parties and the remains of politicians that have proved false to justice, to humanity, and to republican principles. Do you inquire whether these States are to be forever excluded? By no means. We have assurances from North Carolina, Tennessee, Arkansas, and Texas that if this Congress will but demand impartial suffrage the people of those States who are loyal to the Union will enter the contest, second the demand for impartial suffrage, contend for it, and ultimately, as they believe, they will secure it. I speak under the impression, the firm conviction, that we to-day here surrender up the cause of justice, the cause of the country, in the vain hope that the admission of Tennessee may work somewhat for the advantage of the party which has controlled the country during these last six years. We surrender the rights of four million people; we surrender the cause of justice; we imperil the peace and endanger the prosperity of the country; we

degrade ourselves as a great party which has controlled the Government in the most trying times in the history of the world. Fortunate will it be for us, for those whom we represent, and for the future of the country if these apprehensions shall not be realized; and, humble though I be, but in the full conviction that they

are not groundless, I enter my earnest protest against this proceeding. Believing it to be wrong, I declare my convictions in the presence of those who have power to prevent the wrong; and I make the declaration with a sense of responsibility such as has never before rested upon me in any experience of my life.

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